

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

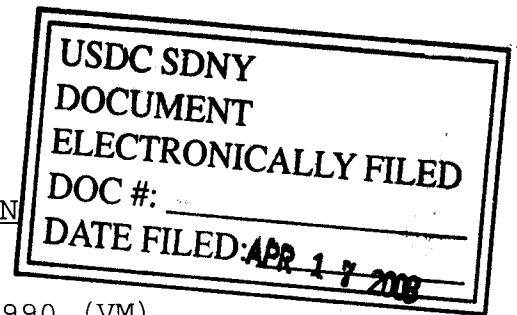
-v- :

DERRICK SMIT, :

Defendant. :

INFORMATION

S1 07 Cr. 990 (VM)



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COUNT ONE

The United States Attorney charges:

1. From at least in or about 2005 through in or about July 2007, in the Southern District of New York and elsewhere, DERRICK SMIT, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that DERRICK SMIT, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 50 grams and more of methamphetamine, its salts, isomers, and salts of its isomers, in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

3. As a result of committing the foregoing controlled

substance offense alleged in Count One of this Information, DERRICK SMIT, the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property that constitutes or is derived, directly or indirectly, as a result of the offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Information.

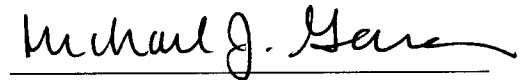
4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (i) cannot be located upon the exercise of due diligence;
- (ii) has been transferred or sold to, or deposited with, a third party;
- (iii) has been placed beyond the jurisdiction of the court;
- (iv) has been substantially diminished in value;
- or
- (v) has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 18, United States Code, Section 853(p), to seek forfeiture of any

other property of the defendant up to the value of the
forfeitable property.

(Title 21, United States Code, Sections 846 and 853.)

A handwritten signature in black ink, reading "Michael J. Garcia", written over a horizontal line.

MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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- v -

DERRICK SMIT,

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(Title 21, United States Code,
Sections 846 and 853.)

MICHAEL J. GARCIA
United States Attorney.
